

MICHAEL BEST

& FRIEDRICH LLP

Michael Best & Friedrich LLP
Attorneys at Law
Milwaukee Office
100 East Wisconsin Avenue
Suite 3300
Milwaukee, WI 53202-4108
Phone 414.271.6560
Fax 414.277.0656

FACSIMILE TRANSMISSION**DATE:** February 25, 2009**TO:**

NAME	FAX No.	PHONE No.
Ljiljana V. Ciric, Examiner U.S. Patent & Trademark Office	(571) 273-4909	

FROM: Stephen A. Gigot**PHONE:** 414.225.4988**SENT BY:** Kelly Roberts**EXTENSION:** 5374**LOCATION:** MKE-30NE

RE: Application No. 10/813,739
Filing Date: 3/31/2004
Confirmation No. 5140

NUMBER OF PAGES, INCLUDING COVER:		9		
CLIENT-MATTER NUMBER:	022233-9052 US	SENDER'S ACCOUNT NUMBER	0035	

NOTES/COMMENTS:

--

THE INFORMATION CONTAINED IN THIS FACSIMILE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, OR MAY BE PROPRIETARY CONFIDENTIAL INFORMATION OF A CLIENT, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR ANY AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

IF YOU DO NOT RECEIVE ALL OF THE PAGES, OR IF YOU EXPERIENCE FAX TRANSMISSION PROBLEMS, PLEASE CALL FAX DEPARTMENT AT 414.225.4970 AS SOON AS POSSIBLE.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Group Art Unit 3753

In re

Patent Application of

Norbert Machanek.

Application No. 10/813,739

Confirmation No.: 5140

Filed: March 31, 2004

Examiner: Ljiljana V. Ciric

"HEAT EXCHANGER BLOCK"

STATUS REQUEST

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants' attorneys respectfully request an updated status of the above-identified application.

Applicants' attorneys attach a copy of the Bibliographic Data from PAIR dated February 22, 2009 (identified as Exhibit A) wherein the application status is "Abandoned—Failure to Respond to an Office Action". As explained in detail below, Applicants respectfully submit that this application has been incorrectly identified as "abandoned," the application's status should be corrected, and examination should resume as soon as possible. The following is a brief summary of the relevant facts.

1. July 31, 2006 the Patent Office mailed a restriction requirement to Wood, Phillips, Katz, Clark, & Mortimer (Applicant's former counsel).

2. August 24, 2006 Applicants filed a response to the restriction requirement. A copy of this response along with the postcard stamped as received on August 28, 2006 is attached hereto as Exhibit B.

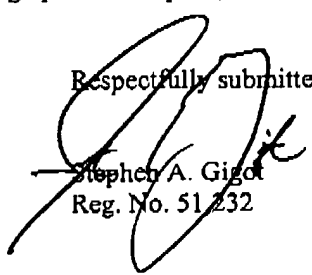
3. February 12, 2007 the Office mailed a notice of abandonment noting a failure to respond to the restriction requirement of July 31, 2006 as the reason for the abandonment.

4. March 19, 2007 Applicant's current counsel faxed courtesy copies of the August 24, 2006 response and stamped postcard dated August 28, 2006 to Examiner Ciric with a request that the status of the present application be corrected.

Applicants respectfully request that the Office update the status for the above-identified application in PAIR and resume examination of the application soon as possible. If additional

information or documents would be helpful in acting upon this request, the Office is invited to contact Applicant's attorney.

Respectfully submitted,


Stephen A. Gigot
Reg. No. 51,232

File No. 022233-9052-00 US
Michael Best & Friedrich LLP
100 East Wisconsin Avenue
Suite 3300
Milwaukee, Wisconsin 53202-4108
414.271.6560

THE UNITED STATES PATENT OFFICE IS REQUESTED TO IMPRESS ITS STAMP ON THIS CARD AND
PLACE SAME IN THE OUT-GOING MAIL TO SHOW THE FOLLOWING PAPERS HAVE BEEN RECEIVED

Docket No. MOD00655P01241US
Serial No. 10/813,739

Applicant: Norbert Machanek
Date Filed: March 31, 2004

Response (2 pages)

FINANCE SECTION

Certificate of Mailing Dated: August 24, 2006
Certificate of Mailing by Express Mail
Label No.

Dated:

WOOD, PHILLIPS, KATZ, CLARK & MORRIMER